GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

P.S. - PR&RD Department - Allegations of irregularities in the execution of C.C Road works under MGNREGS in Vizianagaram District taken up by PRI Division, Parvathipuram, Vizianagaram District – Disciplinary proceedings initiated against Sri K.V.V.Adimurthy, former Assistant Engineer, PIUSD, Badangi and presently working as M.E.O, MPP, Mentada, Vizianagaram District - Charge held not proved in the regular inquiry - Government disagreed with the findings of I.A and communicated disagreement factors calling for representation – Representation not received - Imposition of penalty of withholding of one increment without cumulative effect under Rule 9 (iv) of A.P.C.S (CC&A) Rules, 1991 - Orders – Issued

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 217 **Dated: 15-04-2021**

Read the following:-

1. From the DG, V&E, Vigilance Report No. 12A (C.No. 481/V&E/E2/2014), dt: 30.08.2014.
2. G.O.Rt.No.946, PR&RD (Vig.I) Department, Dt.05.10.2015.
3. From ENC, PR, AP, Lr.No.Vig.I(1)/2779/2014, Dt.28.01.2016, 18.05.2016, 20.07.2016 & 31.10.2017.
4. G.O.Rt.No.960, PR&RD (Vig.I) Department, Dt.27.07.2018.
5. From SE, PR(FAC), Vizianagaram, Lr.Rc.No.52/2010/A1, Dt.28.11.2018.
6. Govt. Memo NO. 16076/Vig. I/2014, PR&RD (Vig. I) Department, Dt: 02.06.2020.
7. From the ENC,PR, Letter No. Vig. I(1)/ 2779/2914, dt: 27.10.2020.

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ORDER:

Based on the recommendations of the Director General, Vigilance & Enforcement Department made in the reference 1st read above, on the allegations of irregularities in the execution of C.C Road works under MGNREGS Programme for the financial year 2012-13 in Vizianagaram District, Government in the reference 2nd read above, have initiated departmental proceedings duly framing following article of charge against Sri K.V.V.Adimurthy, former Assistant Engineer, PIUSD, Badangi, with a direction to submit his written statement of defence :

CHARGE:

That Sri K.V.V.Adimurthy, Assistant Engineer, PIU SD, Badangi, Vizianagaram District has committed certain

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irregularities in execution of inferior quality CC road with M30 grade in work and recorded i.e Providing internal roads with CC drains in SC ST colonies 2012-13 in Kunayavalasa(H) of Kunayavalasa (GP) Est.Rs.8.67 lakhs under MGNREGS programme for the financial year 2012-2013 in Parvathipuram division, Vizianagaram district and caused loss to Govt.for an amount of Rs.1,26,722/-.

2. In the reference 3rd read above, the Engineer-in-Chief, PR has submitted the written statement of defence of the charged officer Sri K.V.V.Adimurthy, Assistant Engineer (PR). After examination of the matter, Government have decided to conduct regular inquiry into the charges framed against the charged officer Sri K.V.V.Adimurthy, Assistant Engineer (PR) and also against nine (9) other co-charged officer involved in the case. Accordingly, Government in the reference 4th read above, have appointed the Superintending Engineer, Panchayat Raj, Vizianagaram District as Inquiry Officer for conducting enquiry against all the ten (10) charge officers.

3. In the reference 5th read above, the Inquiry Officer has submitted inquiry report, wherein the inquiry officer, among others, has given findings against the C.O. Sri K.V.V.Adimurthy, Assistant Engineer (PR) as follows:-

1) QC inspection was carried out on 23-05-2013 & 30-11-2013 and given satisfactory report with recovery of Rs. 8348/- (3547/- + 4801/-) is proposed as recovery from the executing agency on the work, by the Dy.EE V&QC, Parvathipuram. The proposed recovery for Rs. 1,26,722/- by the V&E was got recovered by the Executive Engineer, PRI Division, Parvathipuram along with V&QC proposed recovery for Rs. 8,348/- and adjusted to CRD by the EE PRI Division, Parvathipuram , as such no financial loss caused to the Govt.

2) The version of the C.O. in connection with deficiency in strength of CC Pavement executed with M30 grade is "due to lack of proper care in follow up action, such as procurement of materials as per specifications, water cement ratio, curing for 28 days and especially barricading to prevention of plying traffic during either execution or curing period is not possible in the village as there is no alternative ways to divert the traffic " and deficiencies in thickness of CC drain bed, as per site conditions are reasonable. Hence, the version of the C.O is acceptable and charge held not proved. He may be exonerated from the charges.

4. The Government, have examined the enquiry report and observe that "the fact of recovery of Rs.1,26,722/- itself indicates that

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there were deficiencies in the work in the first place. Further, the C.O himself has admitted that there was lack of proper care in follow up action as mentioned above. The recovery of the amount does not absolve the C.O from the irregularities committed. Further, the QC wing inspection also corroborates that there were deficiencies in the work. In view of the above, it is considered that, the charge against the Charged Officer is held of 'proved' in disagreement to the findings of the Inquiry Officer.

5. Accordingly, in the reference 6th read above, Government have communicated the copy of the inquiry report of the Inquiry Officer dt: 28.11.2018 together with the above disagreement factor to Sri K.V.V.Adimurthy, Assistant Engineer (PR) under Rule 21 (2) of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991, with a direction to submit his representation, if any on the above disagreement factors within (15) days.

6. In the reference 7th read above, the Engineer-in-Chief, Panchayat Raj, AP, Vijayawada, among others, has furnished dated acknowledgment copy according to which the reference 6th cited, got been served on the charged officer Sri K.V.V. Adimurthy, former AE and presently M.E.O, MPP, Mentada, Vizianagaram Distict on 30.09.2020 itself. But the charged officer has not submitted his representation in the matter.

7. Government have examined the matter and observe that as the Charged Officer did not submit his representation within stipulated time and it has been construed that he has no representation to offer and decided to proceed in the matter.

8. Government also observed that, in the instant case, the charged officer failed to discharge his legitimate duties and the recovery proposed by the V&E Department itself indicate that substandard execution was carried out. As such, he is responsible in the matter.

9. Accordingly, Government after careful examination of the mater, have decided and accordingly, hereby impose a penalty of stoppage of one (1) annual grade increment without cumulative effect under Rule 9 (iv) of A.P.C.S (CC&A) Rules, 1991 against Sri K.V.V.Adimurthy, former Assistant Engineer, PIUSD, Badangi and presently working as M.E.O, MPP, Mentada, Vizianagaram District in the matter.

10. The Engineer-in-Chief, Panchayat Raj, A.P, Vijayawada is directed to take necessary action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

P.T.O.,

To
The Engineer in Chief, Panchayat Raj, Andhra Pradesh,
Vijayawada.
Sri K.V.V.Adimurthy, former Assistant Engineer, PIUSD,
Badangi and presently working as M.E.O, MPP, Mentada,
Vizianagaram District
through Engineer in Chief, Panchayat Raj, A.P., Vijayawada.
(with a request to serve the order on the individual and
furnish the dated acknowledgment copy)

Copy to:-

The Secretary to Vigilance Commission,
Andhra Pradesh Vigilance Commission, Velagapudi.
SF/SC.

//Forwarded :: By Order //

SECTION OFFICER